

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**FELICIA HARMON, CHANDRA
COOK & MICHELLE PARKER on
behalf of themselves and all others
similarly situated,**

Plaintiffs,

v.

**FOXY LADY, INC. & ARTHUR
DILLARD,**

Defendants.

**CIVIL ACTION NO.:
1:13-cv-03517-TWT**

**JOINT MOTION FOR REVIEW AND APPROVAL
OF SETTLEMENT AND RELEASE AGREEMENT**

Plaintiffs Felicia Harmon, Chandra Cook and Michelle Parker, and opt-in Plaintiffs Christen Hanna, Myra Woodard, Jacqueline Hannah, Michelle Blount, Tiyanah Pearson, Melanie Denham, Beverly Adams, Tiffane Holland, Pamela Mims, Nataya McDowell, Terua Graham and Tequila Strong and Defendants Foxy Lady and Arthur Dillard, by and through the undersigned counsel, move this Court for a review and approval of their Settlement Agreement and Release of Claims. As grounds for this Motion, the Parties show the Court as follows:

1.

Plaintiffs Felicia Harmon, Chandra Cook and Michelle Parker filed their Complaint [D.E. 1] on October 24, 2013, alleging violations of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §201, *et seq.* Subsequently, the remaining Plaintiffs opted into this case. [D.E. 4, 5, 6, 7, 8, 15, 19, 27, 28, 30, 34, and 37].

2.

Based upon the understandings and assessments of each party, the Parties, acting at arms length and in good faith and with the advice of counsel, have negotiated and entered into a Settlement Agreement and General Release (hereinafter “the Agreement”).

3.

The Parties represent that the terms set forth in the Agreement represent a compromise between the positions of the Parties and that the amount of money allotted to back pay is a fair approximation of Plaintiffs’ potential recovery if they prevailed at trial.

4.

Pursuant to Lynn’s Food Stores, Inc. v. United States of Am., 679 F.2d 1350, 1353 (11th Cir. 1982), judicial approval is required to give effect to the Plaintiffs’ release of their FLSA claims, which is material to the Agreement.

5.

Once the Court approves the Agreement and all payments have been made as set forth in Paragraph 1 of the Agreement, the Parties will file a Stipulation of Dismissal of this case with prejudice.

6.

The Parties further request that the Court retain jurisdiction over the matter until all payments have been made as set forth in Paragraph 1 of the Settlement Agreement and incorporate the Agreement into its Order granting this Motion.

WHEREFORE, the Parties respectfully request that this Court review and approve their Settlement Agreement and Release. For the Court's convenience, a proposed Order granting this Motion is attached hereto as Attachment "A".

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(D), the undersigned counsel for Defendants certifies that this pleading has been prepared in Times New Roman, 14-point type, which is one of the font and point selections approved by the Court in Local Rule 5.1(B).

Respectfully submitted this 27th day of August, 2014.

/s/ Harlan S. Miller

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on August 27, 2014, he electronically filed the foregoing **JOINT MOTION FOR REVIEW AND APPROVAL OF SETTLEMENT AND RELEASE AGREEMENT**, with the Clerk of Court using the CM/ECF System which will automatically send e-mail notification of such filing to the attorneys of record.

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